

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

BILLY EUGENE HUNT,

Petitioner,

Case No. 3:08-cv-174

-vs-

District Judge Walter Herbert Rice
Chief Magistrate Judge Michael R. Merz

WARDEN, London Correctional
Institution,

Respondent.

ORDER ADOPTING REPORT AND RECOMMENDATIONS

The Court has reviewed the Report and Recommendations of United States Magistrate Judge Michael R. Merz (Doc. No. 12), to whom this case was referred pursuant to 28 U.S.C. §636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) expired on September 8, 2008, hereby ADOPTS said Report and Recommendations.

It is therefore ORDERED that the Petition herein be dismissed with prejudice as barred by the statute of limitations. Because reasonable jurists would not disagree with this conclusion, Petitioner is denied any requested certificate of appealability and request to appeal *in forma pauperis*.

September 15, 2008.



Walter Herbert Rice
United States District Judge